

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

REED POLLOCK,

Plaintiff,

-against-

TORCH & CROWN BREWERY, INC. ET AL.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/4/2021

20-CV-6588 (KHP)

ORDER OF DISMISSAL

KATHARINE H. PARKER, United States Magistrate Judge:

In this action under the Fair Labor Standards Act and the New York Labor Law, which is before this Court on the consent of the parties pursuant to 28 U.S.C. § 636(c), the parties, having reached an agreement in principle to resolve the action, have placed their proposed settlement agreement before this Court for approval. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 1999 (2d Cir. 2015) (requiring judicial fairness review of FLSA settlements). The parties have also submitted a letter detailing why they believe the proposed settlement agreement is fair, reasonable, and adequate. (ECF No. 26.) This Court has reviewed the parties' submissions in order to determine whether the proposed agreement represents a reasonable compromise of the claims asserted in this action, and, in light of the totality of the relevant circumstances, including the representations made in the parties' letter and during a court conference on October 20, 2021, and the terms of the proposed settlement agreement, it is hereby ORDERED that:

1. The Court finds that the terms of the proposed settlement agreement are fair, reasonable, and adequate, both to redress Plaintiff's claims in this action and to compensate

Plaintiff's counsel for their legal fees, and the agreement is therefore approved with the clarifications agreed to on the record on October 20, 2021 that Plaintiff is not precluded from participating in an investigation or proceeding conducted by the EEOC, NLRB, SEC or other administrative agency except that he waives his right to monetary damages with respect to the claims released in the settlement of this action. Additionally, Plaintiff is not precluded from making truthful statements about his wages to others.

2. In accordance with the parties' request, this Court will retain jurisdiction over this matter for the purpose of enforcing the settlement agreement, if necessary.

3. As a result of the Court's approval of the parties' proposed settlement, this action is hereby discontinued with prejudice and without costs.

4. The Clerk of Court is directed to close this case on the Docket of the Court.

Dated: New York, New York
November 4, 2021

SO ORDERED



KATHARINE H. PARKER
United States Magistrate Judge

Copies to:

All counsel (via ECF)